

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TARYN CHRISTIAN,)	CIV. NO. 04-00743 DAE-LEK
)	
Plaintiff,)	
)	RESPONDENTS
vs.)	NOTICE TO CONDUCT
)	FURTHER DNA TESTING
CLAYTON A. FRANK, Director,)	
STATE OF HAWAII,)	
DEPARTMENT OF PUBLIC SAFETY,)	
)	
Respondents.)	
_____)	

RESPONDENTS NOTICE TO CONDUCT FURTHER DNA TESTING

COME NOW, CLAYTON A. FRANK, Director, Department of Public Safety, State of Hawaii, (hereinafter "Respondents"), by and through their attorney, PETER A. HANANO, First Deputy Prosecuting Attorney for the County of Maui, and hereby presents this Respondent's Notice To Conduct Further DNA Testing pursuant to the Court's Order Granting in Part and Denying in Part Petitioner's Motion to Continue Discovery Dates and to Compel Discovery and Setting Schedule for Evidentiary Hearing filed on April 4, 2008 (Document 101).

Accordingly, Respondents hereby provides notice that it intends to submit the Michigan baseball cap, plaid flannel jacket, fingernail scrapings, and possibly

the reference samples to: **Human Identification Technologies, Inc.**, (909-557-1828, located at 440 Business Center Court, Redlands, CA 92373. Furthermore, based upon the communications with Senior Vice President/Lab Director, Mehul B. Anjaria, the forensic scientist that will be assigned to the case is Chantel Giamanco.

Based upon the above, Respondents hereby requests from Petitioner, the following: all documents within Petitioner's possession, or within the possession of Serological Research Institute, pertaining to prior testing/analysis of the aforementioned items, including but not limited to all documents, laboratory notes, bench notes, charts, photographs, typing strips, tapes, e-mails, and/or other materials without exception, that are, or relate to, laboratory work, forensic testing, forensic comparison, or other forensic work of any type connected to the homicide of Vilmar Cabaccang, MPD report # 95-41879, which were provided to Petitioner by the Honolulu Police Department and/or Serological Research Institute.

DATED: Wailuku, Hawaii, May 15, 2008.

Respectfully submitted,

DEPARTMENT OF THE PROSECUTING ATTORNEY
BENJAMIN M. ACOB,
PROSECUTING ATTORNEY

By 

PETER A. HANANO

First Deputy Prosecuting Attorney
County of Maui
Attorney for Respondents